IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Bail Appl..No. 5799 of 2007()

CRIME NO. 14/07 OF HOSDURG EXCISE RANGE
CMP.4085/2007 of J.M.F.C.-I,HOSDRUG

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PETITIONER/ACCUSED

M.RATHEESH, S/O. LATE PAPPACHAN,
KALLYANROAD COLONY, BELLA VILLAGE, HOSDURG TALUK.

BY ADV. SMT.T.SUDHAMANI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5799 of 2007

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Dated this the 25th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 97 x 100 ml. of arrack in packets on 21.2.2007. He was arrested on 31.8.2007 and he continues in custody from that date. The petitioner has one earlier crime registered under Section 15(c) of the Kerala Abkari Act against him, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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